

PATENT COOPERATION TREATY

Lanka

AG

From the INTERNATIONAL SEARCHING AUTHORITY

PCT

To:

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RECEIVED

19 JAN 2008

FILE No. 44735

G.E. EHRLICH (1995) LTD.

INVITATION TO PAY ADDITIONAL FEES
AND, WHERE APPLICABLE, PROTEST FEE
(PCT Article 17(3)(a) and Rule 40.1 and 40.2(e))

REGISTERED MAIL

Date of mailing
(day/month/year)

12/01/2009

d

Applicant's or agent's file reference

44735

PAYMENT DUE

within **ONE MONTH** from
the above date of mailing

International application No.

PCT/IL2008/001292

International filing date
(day/month/year)

24/09/2008

Applicant

CONTEPI LTD.

1. This International Searching Authority

- (i) considers that there are 3 (number of) inventions claimed in the international application covered by the claims indicated on an extra sheet:
- (ii) therefore considers that **the international application does not comply with the requirements of unity of invention** (Rules 13.1, 13.2 and 13.3) for the reasons indicated on an extra sheet:
- (iii) ☒ has carried out a partial international search (see Annex) ☐ will establish the international search report on those parts of the international application which relate to the invention first mentioned in claims Nos.:
see extra sheet
- (iv) will establish the international search report on the other parts of the international application only if, and to the extent to which, additional fees are paid.

2. Consequently, the applicant is hereby **invited to pay**, within the time limit indicated above, the amount indicated below:

EUR 1.700,00 x 2 = EUR 3.400
Fee per additional invention number of additional inventions currency/total amount of additional fees

3. The applicant is informed that, according to Rule 40.2(c), **the payment of any additional fee may be made under protest**, i.e., a reasoned statement to the effect that the international application complies with the requirement of unity of invention or that the amount of the required additional fee is excessive, where applicable, subject to the payment of a protest fee.

Where the applicant pays additional fees under protest, the applicant is hereby invited, within the time limit indicated above, to pay a protest fee (Rule 40.2(e)) in the amount of EUR 750,00 (currency/amount)

Where the applicant has not, within the time limit indicated above, paid the required protest fee, the protest will be considered not to have been made and the International Searching Authority will so declare.

4. ☒ Claim(s) Nos. see extra sheet have been found to be unsearchable under Article 17(2)(b) because of defects under Article 17(2)(a) and therefore have not been included with any invention.

Name and mailing address of the International Searching Authority



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Authorized officer

Vera Schertl

This International Searching Authority found multiple (groups of) inventions in this international application, as follows:

1. claims: 1-29

An apparatus for treating urinary incontinence comprising an extension and conversion mechanism

2. claims: 37, 38

An apparatus for treating urinary incontinence compressing legs and arms not axially aligned

3. claims: 39-41

An apparatus for treating urinary incontinence comprising legs and arms adapted to be connected

This Authority considers that there are 3 inventions covered by the claims indicated as follows:

- I: Claims 1-29 directed to an apparatus for treating urinary incontinence comprising an extension and conversion mechanism
II: Claims 37, 38 directed to an apparatus for treating urinary incontinence compressing legs and arms not axially aligned
III: Claims 39-41 directed to an apparatus for treating urinary incontinence comprising legs and arms adapted to be connected

The reasons for which the inventions are not so linked as to form a single general inventive concept, as required by Rule 13.1 PCT, are as follows:

The common features linking together the above groups of claims are: an anchor section comprising a anchor legs, and a support section comprising support arms.

The prior art has been identified as document WO-A-2006/097935 and discloses all these features. Therefore the common features linking together the above groups of claims are not novel. Moreover, there is no common inventive concept linking together the above groups of claims. Claim 1 provides device that can be easily extended and compressed. Claim 37 provides a device that fits better into the body and claim 39 provides a device whereby the arms and legs can be connected.

In conclusion, the groups of claims are not linked by common or corresponding special technical features and define 3 different inventions not linked by a single general inventive concept.

The application, hence does not meet the requirements of unity of invention as defined in Rules 13.1 and 13.2 PCT.

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 206

Continuation of Box 4.

Claim(s) not searched:
30-36

The subject-matter of claim 30 to 36, discloses a method of ameliorating urinary incontinence. The method comprises the step of intra-vaginally inserting the apparatus. The International preliminary searching authority is not required to establish an opinion with regard to novelty, inventive step and industrial applicability on methods for treatment of the human body by surgery or therapy (Rule 39.1(iv)).

**Annex to Form PCT/ISA/206
COMMUNICATION RELATING TO THE RESULTS
OF THE PARTIAL INTERNATIONAL SEARCH**

International Application No
PCT/IL2008/001292

1. The present communication is an Annex to the invitation to pay additional fees (Form PCT/ISA/206). It shows the results of the international search established on the parts of the international application which relate to the invention first mentioned in claims Nos.:
- see 'Invitation to pay additional fees'
2. This communication is not the international search report which will be established according to Article 18 and Rule 43.
3. If the applicant does not pay any additional search fees, the information appearing in this communication will be considered as the result of the international search and will be included as such in the international search report.
4. If the applicant pays additional fees, the international search report will contain both the information appearing in this communication and the results of the international search on other parts of the international application for which such fees will have been paid.

C. DOCUMENTS CONSIDERED TO BE RELEVANT

| Category * | Citation of document, with indication, where appropriate, of the relevant passages | Relevant to claim No. |
|------------|--|------------------------------|
| P, X | WO 2008/010214 A (CONTIPI LTD [IL]; ZIV ELAN [IL]; GILAN JACOB [IL]; SINAI NIR [IL]; BAU) 24 January 2008 (2008-01-24) the whole document | 1-29 |
| X | WO 2006/097935 A (CONTIPI LTD [IL]; SINAI NIR [IL]; ZIV ELAN [IL]; BUDER IDAN [IL]; GILA) 21 September 2006 (2006-09-21) the whole document | 1-11, 14-16, 18, 20-28 |
| Y | | 12, 13, 17, 19, 29 |
| X | WO 2005/087154 A (CONTIPI LTD [IL]; ZIV ELAN [IL]) 22 September 2005 (2005-09-22) | 1-11, 14-16, 18, 20-28 |
| Y | page 8 - page 19; claims; figures | 12, 13, 17, 19, 29 |

☐

Further documents are listed in the continuation of box C.

☒

Patent family members are listed in annex.

* Special categories of cited documents :

- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the international filing date
- *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- *O* document referring to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

- *T* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- *X* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- *Y* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- *Z* document member of the same patent family

Patent Family Annex

Information on patent family members

International Application No

PCT/IL2008/001292

| Patent document cited in search report | | Publication date | Patent family member(s) | Publication date |
|---|---|---------------------|----------------------------|---------------------|
| WO 2008010214 | A | 24-01-2008 | NONE | |
| WO 2006097935 | A | 21-09-2006 | AU 2006224158 A1 | 21-09-2006 |
| | | | CA 2600988 A1 | 21-09-2006 |
| | | | EP 1863399 A2 | 12-12-2007 |
| | | | KR 20070117676 A | 12-12-2007 |
| WO 2005087154 | A | 22-09-2005 | AU 2005221424 A1 | 22-09-2005 |
| | | | CA 2560877 A1 | 22-09-2005 |
| | | | JP 2007529262 T | 25-10-2007 |

Important Information

General:

- The **claims cannot be changed** at this point in the procedure, the transmitted report is **not** the international search report (see Art. 19 PCT).
- Any payment has to be made **directly** to this ISA, payments to other entities will not be accepted.
- In case of a **total of more than 2 inventions** found: when paying please **specify exactly** which claims should be searched (unless you pay for all inventions found)
- An **extension of the set time limit** cannot be granted.

Payment by cheque (not accepted as of 01/04/2008):

- The **date to be considered as the date on which the payment is made** is the **date of receipt of the cheque at the EPO**, provided that the cheque is **met**.
- Copies of cheques sent by fax or by mail are not considered to be a valid payment.
- The fees shall be paid in euro, no equivalents in other currencies.
- No payments by cheque shall be accepted as of 01/04/2008 (date of receipt at the EPO).

Payment or transfer to a bank account:

- The **date to be considered as the date on which the payment is made** is the date on which the amount of the payment or the transfer is **actually entered** in a bank account or Giro account held by the EPO.
- The fees shall be paid in euros, no equivalents in other currencies, all charges to be carried by the applicant
- For a list of accounts held by the EPO please see http://www.european-patent-office.org/epo/new/bank_euro.pdf

Payment by deposit account with the EPO:

- The **date to be considered as the date on which the payment is made** is the date that the **authorisation** to deduct fees from the deposit account is **received at the EPO**.

***Note:** If you don't have a deposit account with the EPO yourself you might want to consider using the account of an associate as a safe and quick way of paying.*

Payments by credit card are not possible.

Payments under protest (one-step procedure under Rule 40 PCT as of 13/12/2007):

- For general information on the protest procedure at ISA/EP, please refer to the Special Edition No. 3 of the OJ of the EPO 2007, pages 140-145, http://www.european-patent-office.org/epo/pubs/oj007/08_07/special_edition_3_epc_2000_decisions.pdf
- Any protest will **only be accepted if**, within the time limit set in the invitation, the additional fees for each invention to be searched **and** the protest fee are paid.
- The protest has to be **accompanied by a technical reasoning**.

European Patent Organisation

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